

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN, DIVISION  
Montgomery , Alabama

HON. WALLACE CAPEL, JR.

DATE COMMENCED: 11/30/06

DIGITAL RECORDING: 2:00 - 4:25

DATE COMPLETED: 11/30/06

vs. \* CR CASE NO: 3:06cr222-WKW

JELA SHERMARKIE MARSHALL \*

---

PLAINTIFF

APPEARANCES:

DEFENDANT

Verne Speirs

\*  
\*  
\*  
\*

Kevin L. Butler

---

COURT OFFICIALS PRESENT:

Wanda A. Robinson, Courtroom Deputy  
Joseph Wilkinson, Law Clerk  
Risa Entrekin, Court Reporter

---

PROCEEDINGS:

( ) JURY TRIAL

( x ) OTHER PROCEEDINGS: SUPPRESSION HEARING

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED		
<b>Description</b>	3:06cr222-WKW: USA vs. Jela Shermarkie Marshall: SUPPRESSION HEARING	
<b>Date</b>	11/30/2006	<b>Location</b>
<b>Time</b>	<b>Speaker</b>	<b>Note</b>
1 :59:53 PM	Court	Convenes; Rule Invoked
2 :00:51 PM	Government	Calls Witness Judson Barnes
2 :01:15 PM	Defense	Gives Reasons for Hearing as regards the Stop of the Vehicle
2 :09:00 PM		Witness Sworn and Testifies
2 :30:33 PM	Defense	Cross-Examines Witness Judson Barnes
2 :58:10 PM	Government	Re-Directs Witness
3 :00:49 PM	Defense	Further questions witness
3 :01:47 PM	Government	Establishes probable cause for stop
3 :02:29 PM		Witness Excused
3 :02:55 PM	Court	Determines all issues should be addressed including probable cause for stop and search
3 :08:39 PM	Government	Calls Witness Craig Vickers; Witness Sworn and testifies
3 :13:40 PM	Defense	Cross Examines Witness
3 :15:17 PM		Witness excused
3 :15:30 PM		Government Rest
3 :15:46 PM	Defense	Recalls Officer Barnes; Witness testifies
3 :18:54 PM		No Cross; Witness excused
3 :19:10 PM	Defense	Calls Witness Frank Marshall, Jr.; Witness Sworn and Testifies
3 :29:26 PM	Government	Cross-Examines Witness
3 :34:28 PM	Defense	Re-Directs Witness
3 :35:25 PM		Witness Excused
3 :35:49 PM	Defense	Recalls Witness Frank Marshall, Jr.
3 :38:11 PM	Government	Cross-Examines Witness
3 :39:37 PM	Defense	Questions Witness
3 :40:17 PM	Government	Questions Witness
3 :40:22 PM		Witness Excused
3 :40:56 PM	Defense	Calls Witness Frank Marshall, III; Witness Sworn and Testifies
3 :48:49 PM	Government	Cross-Examines Witness
3 :51:02 PM	Defense	Re-Directs Witness
3 :51:27 PM	Government	Questions witness
3 :52:37 PM	Defense	Further questions witness
3 :53:23 PM	Government	Questions Witness
3 :53:50 PM		Witness Excused
3 :53:57 PM	Defense	Calls Witness Lynn Colbert; Witness Sworn and testifies
3 :55:54 PM		Witness Excused
3 :56:44 PM	Defense	Requests Court to recessed to examines car stereo
3 :57:13 PM	Government	Objects to request
3 :58:13 PM	Defense	Responds to objections
3 :59:34 PM	Court	Declines Request for examination of car

4 :00:49 PM	Defense	Recalls witness Frank Marshall, III; witness further testifies
4 :05:53 PM	Court	Will NOT accept testimony regarding expert testimony
4 :06:44 PM		Witness Excused
4 :06:55 PM	Defense	Proffers the results of the testing of the Car Stereo
4 :09:59 PM	Court	Questions relevancy of proffer; Not Expert testimony
4 :12:25 PM	Government	Gives Closing Argument
4 :15:17 PM	Defense	Gives Closing Argument
4 :18:04 PM	Court	Addresses Defense's Closing Argument
4 :20:24 PM	Defense	Completes Closing Argument
4 :24:04 PM	Government	Responds to Defense's Argument
4 :24:48 PM	Defense	Replies to Government Response
4 :25:00 PM		Court in Recess

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

USA

\*

\*

VS.

\*

3:06cr222-WKW

\*

JELA SHERMARKIE MARSHALL

WITNESS LIST

PLAINTIFF/GOVERNMENT

DEFENDANT

1. Judson Barnes

1. Frank Marshall, Jr.

2. Craig Vickers

2. Frank Marshall, III

3.

3. Lynn Colbert

4.

4.

5.

5.

6.

6.

7.

7.

8.

8.

9.

9.

10.

10.

11.

11.

12.

12.

13.

13.

14.

14.

15.

15.

16.

16.

17.

17.



## ALABAMA

Case Number: 3:06cr222-WKW

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

## ALABAMA

Case Number: 3:06cr222-WKW

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.